

DEPARTMENT OF PUBLIC WORKS

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Public Works, pursuant to the authority set forth in section 2(c) of the District of Columbia Solid Waste Disposal Act of 1989, effective July 25, 1989 (D.C. Law 8-16; 36 DCR 4155), as amended by section 6012 of the Solid Waste Disposal Cost Recovery Act of 2007, effective September 18, 2007 (D.C. Law 17-20) and the Solid Waste Disposal Fee Amendment Act of 2008, effective March 21, 2009 (D.C. Law 17-322), and Mayor's Order 2005-123, dated August 29, 2005, hereby gives notice of the adoption on an emergency basis of the following amendments to Chapter 7 (Solid Waste Control) of Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR), by amending the fees for the disposal of solid waste at the District's waste-handling facilities.

This emergency action is based on a decrease in the cost that the District pays for the disposal of solid waste delivered to its solid waste transfer facilities and is taken to ensure that the District fee recoups only the actual cost of providing solid waste handling services. This emergency rule was adopted on June 10, 2010, and became effective on June 21, 2010.

The Director also gives notice of intent to take final rulemaking action to adopt this amendment in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.

The emergency rule will expire on October 18, 2010, or upon publication of a Notice of Final Rulemaking in the *D.C. Register*, whichever occurs first.

Chapter 7 (Solid Waste Control) of Title 21 (Water and Sanitation) of the DCMR is amended as follows:

Subsection 720.5 is amended to read as follows:

720.5 Beginning on June 21, 2010, the applicable fee for the disposal of construction and demolition debris at the waste-handling facilities shall be sixty-seven dollars and eighty-seven cents (\$67.87) for each ton disposed; provided, that a minimum fee of thirty-three dollars and ninety-four cents (\$33.94) shall be imposed on each load weighing one thousand pounds (1,000 lbs.) or less.

Subsection 720.8 is amended to read as follows:

720.8 Beginning on June 21, 2010, the applicable fee for the disposal of each ton of solid waste at the waste-handling facilities, excluding those wastes specified in §§ 720.5, 720.6, and 720.7, shall be forty-seven dollars and twenty-seven cents

(\$47.27) for each ton disposed; provided, that a minimum fee of twenty-three dollars and sixty-four cents (\$23.64) shall be imposed on each load weighing one thousand pounds (1,000 lbs.) or less.

All persons interested in commenting on the subject matter in this proposed rulemaking action may file comments in writing, not later than thirty (30) days after the publication of this notice in the *D.C. Register*, with Christine V. Davis, General Counsel, Department of Public Works, 2000 14th Street, N.W., 6th Floor, Washington, D.C. 20009. Copies of this proposal are available, at cost, by writing to the above address.